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Paper No. 9

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A. **COPY MAILED**  
P.O. BOX 2938  
MINNEAPOLIS, MN 55402

JUL 24 2003

In re Application of  
Matthews, et al.  
Application No. 10/067,106  
Filed: February 4, 2002  
Atty. Dkt. No.: 1384.004US3  
Title: SYSTEM AND PROTOCOL FOR  
FRAME RELAY SERVICE OVER THE  
INTERNET

**OFFICE OF PETITIONS**

DECISION GRANTING  
STATUS UNDER 37 CFR  
1.47(a)

This decision is in response to the renewed petition under 37 CFR 1.47(a), filed May 28, 2003 (Certificate of Mailing date of May 21, 2003).

The petition is GRANTED.

Petitioner has shown that inventor Sajit Bhaskaran has refused to join in the filing of the above-identified application after having been presented with the application papers.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the above-identified application will be returned to the Office of Initial Patent Examination for further processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-0310.

Alesia M. Brown  
Senior Petitions Attorney  
Office of Petitions



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This is a decision on the petition, filed July 10, 2003,  
under 37 CFR 1.181 to withdraw the holding of abandonment for  
the above-identified application.

The petition under 37 CFR 1.181 is hereby **GRANTED**.

The application was held abandoned December 22, 2002 for  
failure to timely reply to the Office communication mailed  
October 21, 2002. The Office communication set a two (2)  
shortened period of time for reply. Notice of Abandonment was  
mailed June 10, 2003.

Petitioner states that a response to the Office communication  
along with petition for extension of time were timely  
submitted May 21, 2003 in accordance with the Certificate of  
Mailing procedures outlined at 37 CFR 1.8. Petitioner has  
included a copy of the response filed in response to the  
Office letter.

A review of the application file indicates that the reply  
submitted does not indicate receipt of the response  
purportedly submitted May 21, 2003, however, the response  
will be considered timely as it complies with the  
requirements of 37 CFR 1.8(b) in that (1) the Office was  
promptly informed of the previous timely mailing, (2) a copy  
of the previously submitted correspondence with certificate  
of mailing thereon has been supplied, and (3) statements  
attesting to the previous timely mailing have been submitted.

In view of the evidence presented by petitioner, the holding  
of abandonment in the above-referenced application is hereby  
vacated and the holding of abandonment withdrawn.  
Accordingly, the response to the Office communication will be  
accepted as having been timely filed via Certificate of  
Mailing on May 21, 2003.

This application file is being forwarded to the Office of  
Initial Patent Examination for further processing.

Telephone inquiries should be directed to the undersigned at  
(703) 305-0310.

*Alesia M. Brown*  
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Senior Petitions Attorney  
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[www.uspto.gov](http://www.uspto.gov)

SAJIT BHASKARAN  
1336 AVOSET TERRACE  
SUNNYVALE, CA 94087

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OFFICE OF PETITIONS

LETTER

Dear Sir:

You are named as an inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 C.F.R. § 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost as per 37 C.F.R. § 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 C.F.R. § 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (703) 305-0310. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Alesia M. Brown  
Senior Petitions Attorney  
Office of Petitions